

**Permittee: United States Department of the Army
Deseret Chemical Depot
State/EPA I.D. Number: UT5210090002**

The Permit Page for the Tooele Chemical Agent Disposal Facility (TOCDF) is amended to read as follows:

Pursuant to the Utah Solid and Hazardous Waste Act, 19-6-101, et. seq., Utah Code Annotated, 1953, as amended, and the regulations promulgated thereunder by the Utah Solid and Hazardous Wastes Control Board (the Board), codified in the Utah Administrative Code R315 (R315), and pursuant to the Solid Waste Disposal Act (42 U.S.C. 3251 et. seq.), as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et. seq., RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), a permit is issued to the United States Department of the Army, Deseret Chemical Depot (Facility Owner, Facility Co-Permittee); the Program Manager for Chemical Demilitarization (Facility Co-Permittee, Co-Operator), and the EG&G (Facility Co-Permittee, Facility Co-Operator), (hereafter jointly called the Permittee, Operator), to operate a hazardous waste treatment and storage facility located on State Highway 36 in Tooele, Utah, at latitude 40° 18' 00" North and longitude 112° 20' 00" West.

For purpose of clarification, the designations Facility Owner, Facility Co-Permittee and Facility Co-Operator hereinafter will be referred to as Owner, Permittee, and Operator respectively. The use of referring to Co-Permittee as Permittee and Co-Operator as Operator shall not change legal obligations and/or responsibilities.

The Permittee shall comply with all terms and conditions of this permit and in the Attachments 1 through 22. The Permittee must comply with all applicable State regulations, including R315-1 to R315-9, R315-12 to R315-14, and R315-50 and as specified in the permit.

Applicable state regulations are those which are in effect on the date of final administrative action on this permit and any self implementing statutory provisions and related regulations which, according to the requirements of HSWA, are automatically applicable to the Permittee's hazardous waste management activities, notwithstanding the conditions of this permit.

This permit is based upon the administrative record, as required by R315-3-24(d). The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time, shall be grounds for the termination or modification of this permit and/or initiation of an enforcement action, including criminal proceedings. The Permittee must inform the Executive Secretary (Executive Secretary) for the Utah Solid and Hazardous Waste Committee of any deviation from the permit conditions or changes in the information on which the application is based which would affect the Permittee's ability to comply, or actual compliance with the applicable regulations or permit conditions or which alters any condition of this permit in any way. The Executive Secretary shall enforce all conditions of this permit which are designated in this permit as State requirements. Any challenges of any permit condition that concern State requirements shall be appealed to the Utah Solid and Hazardous Wastes Committee in accordance with the Utah Code Annotated and applicable administrative rules.

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The United States Environmental Protection Agency (Agency) shall issue a separate permit based on federal regulations promulgated under HSWA, that have not yet been adopted by the State of Utah and have not been included in the State's authorized program. The Agency shall maintain an oversight role of the State authorized program and in such capacity shall enforce any permit condition based on State requirements if, in the Agency's judgement, the Executive Secretary should fail to enforce that permit condition, except that in no case shall the Agency enforce any permit condition designated as a State requirement only and a permit condition that the Agency has determined to be broader in scope than the federal RCRA regulations (i.e., there is no federal counterpart to the State rule). Any challenges to the Agency enforced conditions shall be appealed to the Agency in accordance with 40 Code of Federal Regulations (CFR), Section 124.19.

This amended Permit Page in no way changes the issue date of this permit. This permit will expire as stated in Permit Condition I.H. with the effective date being the date as shown on the original Permit Page signed by Brent C. Bradford on 30 June 1989.